

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Contreras & Metelska, P.A.,

Plaintiff,

v.

Executive Office for Immigration Review
and U.S. Department of Justice,

Defendants.

Civil No. 19-cv-0915 (MJD/HB)

**ORDER ON REPORT
AND RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. The Report and Recommendation [Docket No. 22] is **ADOPTED**;
2. Defendants' Motion to Dismiss Count I regarding Plaintiff's January 21, 2019 FOIA request is **GRANTED**, and Count I is **DISMISSED WITHOUT PREJUDICE**; and
3. Defendants' Motion to Dismiss Count II regarding Plaintiff's March 4, 2019 FOIA request is **DENIED**.

Dated: October 17, 2019

s/ Michael J. Davis

MICHAEL J. DAVIS

United States District Judge